

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

Order of Restitution

v.

BORIS BELTRAN, a/k/a “Bebe”

S5 21 Cr. 17 (KPF)

Upon the application of the United States of America, by its attorney, Damian Williams, United States Attorney for the Southern District of New York, Frank J. Balsamello, Christopher D. Brumwell, Benjamin A. Gianforti, and Brandon D. Harper, Assistant United States Attorneys, of counsel; the defendant’s conviction on Counts One and Two of the Information filed in this case; and all other proceedings in this case, it is hereby ORDERED that:

1. Amount of Restitution

Boris Beltran, the defendant, shall pay restitution in the total amount of \$14,801 (the “Restitution Payment”), pursuant to 18 U.S.C. §§ 3663, 3663A, and 3664, including, but not limited to, 18 U.S.C. §§ 3663(a)(3) and 3663A(a)(3), to the Baseball Program at John F. Kennedy High School in the Bronx, New York (the “Baseball Program”). Upon advice by the United States Attorney’s Office of a change of address of the Baseball Program, the Clerk of Court is authorized to send payments to the new address without further order of this Court.

2. Joint and Several Liability

Restitution is joint and several in full with defendants Shpendim Haxhaj and Lucas Chajecki in *United States v. Haxhaj, et al.*, S2 21 Cr. 17. The defendant’s liability to pay restitution shall continue unabated until either the defendant has paid the full amount of restitution ordered herein, or the Baseball Program has received the total amount of the Restitution Payment from the restitution paid by the defendant, Shpendim Haxhaj, and Lucas Chajecki.

Restitution is not joint and several with others not named herein.

3. Schedule of Payments

Pursuant to 18 U.S.C. § 3664(f)(2), in consideration of the financial resources and other assets of the defendant, including whether any of these assets are jointly controlled; projected earnings and other income of the defendant; and any financial obligations of the defendant; including obligations to dependents, the defendant shall pay restitution in the manner and according to the schedule that follows:

In the interest of justice, restitution will be payable in installments pursuant to 18 U.S.C. § 3572(d)(1) and (2).

The defendant will commence monthly installment payments of not less than \$750 *OR* at least 10 percent of the defendant's gross income, payable on the 1st of each month, immediately upon the later of the entry of this judgment or release from imprisonment.

While serving any term of imprisonment, the defendant shall make installment payments toward restitution and may do so through the Bureau of Prisons' (BOP) Inmate Financial Responsibility Plan (IFRP). Any unpaid amount remaining upon release from prison will be paid in installments of not less than \$750 *OR* at least 10 percent of the defendant's gross income on the 1st of each month.

This schedule is without prejudice to the Government taking enforcement actions, pursuant to 18 U.S.C. § 3613, to the extent warranted.

3. Payment Instructions

The defendant shall make restitution payments by certified check, money order, or online. Instructions for online criminal debt payments are available on the Clerk of Court's website at <https://nysd.uscourts.gov/payment-information#PaymentofCriminalDebt>. Checks and money orders shall be made payable to the "SDNY Clerk of Court" and mailed or delivered to: United

States Courthouse, 500 Pearl Street, New York, New York 10007 - Attention: Cashier, as required by 18 U.S.C. § 3611. The defendant shall write his name and the docket number of this case on each check or money order.

Because restitution is payable to the Baseball Program, the Clerk's Office shall forward all restitution payments to the below addresses within 30 days of receiving said payments from the defendant:

John F. Kenney High School Athletic Programs
Attn: Baseball Program, Mouath Abu Fara
99 Terrace View Avenue
Bronx, NY 10463

4. Change in Circumstances

The defendant shall notify, within 30 days, the Clerk of Court, the United States Probation Office (during any period of probation or supervised release), and the United States Attorney's Office, 86 Chambers Street, 3rd Floor, New York, New York 10007 (Attn: Financial Litigation Program) of (1) any change of the defendant's name, residence, or mailing address or (2) any material change in the defendant's financial resources that affects the defendant's ability to pay restitution in accordance with 18 U.S.C. § 3664(k).

5. Term of Liability

The defendant's liability to pay restitution shall terminate on the date that is the later of 20 years from the entry of judgment or 20 years after the defendant's release from imprisonment, as provided in 18 U.S.C. § 3613(b). Subject to the time limitations in the preceding sentence, in the event of the death of the defendant, the defendant's estate will be held responsible for any unpaid

balance of the restitution amount, and any lien filed pursuant to 18 U.S.C. § 3613(c) shall continue until the estate receives a written release of that liability.

SO ORDERED:



April 15, 2024

HONORABLE KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE

DATE